

REQUEST FOR PROPOSAL

NUMBER - 10-39

THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Pursuant to § 4.12.040 M.C.L., this solicitation document serves as the written determination of the Purchasing Agent, that the use of competitive sealed bidding is neither practicable nor advantageous to the Metropolitan Government. Therefore, this solicitation will facilitate the entering into of contract(s) by the competitive sealed proposals process.

RFP Title:

**The Convention Center Authority of the Metropolitan
Government of Nashville and Davidson County
Independent Auditing Services
(RFP Conducted by the Metropolitan Government on behalf of
the Convention Center Authority)**



Procurement Staff Contact:
Pat Edwards, CPPB
Asst. Purchasing Agent

This proposal solicitation document is prepared in a Microsoft Word (Office for Windows) format. Any alterations to this document made by the proposer may be grounds for rejection of proposal, cancellation of any subsequent award, or any other legal remedies available to the Metropolitan Government.

There may be one or more amendments to this proposal solicitation. If your company desires to receive copies or notices of any such amendments, you must provide the information requested below to Metro Purchasing. Please send this information to Jan Wiles via fax at (615) 862-6179 or by e-mail at *jan.wiles@nashville.gov*. **The Metropolitan Government of Nashville and Davidson County (the “Metropolitan Government”) will send amendments only to those firms which timely complete and return this form via fax or provide the requested information by timely e-mail.**

RFP number	10-39
Company name	
Mailing address	
Phone number	
Fax number	
Contact person	
Email address	

Send amendments by (check one): ☐ Email ☐ Fax

Emailed amendments will be sent in a Microsoft Word (Office for Windows) format. Any alterations to the document made by the proposer may be grounds for rejection of proposal, cancellation of any subsequent award, or any other legal remedies available to the Metropolitan Government.

Amendments also will be posted on the Metro Government Purchasing web site (<http://www.nashville.gov/bob/index.asp>) and attached to the solicitation listing as a PDF file. Check the Business Opportunities Bulletin web page for the particular proposal solicitation for any posted amendments.

Table of Contents

1) Introduction/Overview	4
A. Purpose	4
B. Objective	4
C. Scope of Services	4
D. Background	5
E. Inquiries	5
F. Method of Source Selection	5
G. Pre-Proposal Conference	6
H. Minimum (general) criteria to be determined “ <i>Responsive</i> ”	6
I. Minimum (general) criteria to be determined “ <i>Responsible</i> ”	6
J. Projected Timetable	7
2) Constraints on the Contractor	7
3) Functional Requirements	7
4) Contractor Personnel Requirements	7
5) Contractor Responsibilities	7
6) Convention Center Authority Responsibilities	8
7) The Authority and Metropolitan Government’s Right to Inspect	8
8) Terms and Conditions of Contract	8
9) Procurement Nondiscrimination Program Requirements	8
10) Assistance to Small Businesses as Subcontractors and Suppliers	9
11) Instructions for Proposal	11
A. Compliance with the RFP	11
B. Acknowledgment of Insurance Requirements	11
C. Delivery of Proposals	11
D. Evaluation of Proposals (Procedure)	11
E. Ambiguity, Conflict, or Other Errors in the RFP	14
F. Proposals and Presentation Costs	14
G. Rejection of Proposals	14
H. Acceptance of Proposals	14
I. Requests for Clarification of Proposals	14
J. Validity of Proposals	14
12) Evaluation Criteria	15
• Tab I, Business Plan	15
• Tab II, Experience and Qualifications	16
• Tab III, Compensation and Cost Data	16
• Tab IV, Capacity and Ability to Meet Scheduling Requirements	16
• Tab V, Past performance and References	17
• Tab VI, Small Business Participation	17

Request for Proposals
RFP Title:
Convention Center Authority Independent Auditing Services
(RFP Conducted by the Metropolitan Government
on behalf of the Convention Center Authority)

All Proposals Submitted are Public Record after Award.
Submission of a proposal is an official waiver of confidentiality statements.

1) Introduction/Overview

A. Purpose

The Metropolitan Government is administering this request for proposals on behalf of the Convention Center Authority of the Metropolitan Government of Nashville and Davidson County (the "Authority"). They are requesting sealed proposals from qualified firms for the purchase of the following products and services:

To audit the financial statements for the Authority for the year ended June 30, 2010 in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*; and requirements prescribed by the Comptroller of the Treasury, State of Tennessee.

B. Objective

The objective to be met through the award of the Request for Proposal is to enter into a one-year contract with the selected supplier to furnish and maintain the purchases identified in 1. A above with the option for the Authority to retain the selected supplier for four subsequent years subject to the annual review and recommendation of the Authority and the annual availability of an appropriation.

The contract between the Authority and the selected supplier is subject to approval by the Comptroller of the Treasury, State of Tennessee. A copy of the State contract that will be executed can be found at:

<http://www.comptroller.state.tn.us/ca/contract.htm>

C. Scope of Services

The Authority desires the contractor to perform the necessary audit work and express an opinion on the Authority's financial statements for the year ending June 30, 2010.

The Authority may wish to enter into separate scopes of services for special internal control reviews, performance audit work, or other special projects. Those scopes of services would be defined at the time of request. This proposal response should be limited to the scope of services in the preceding paragraph.

D. Background

The Metropolitan Development and Housing Agency began a development process to design and build a new convention center known as the Music City Center. Under the direction of Mayor Karl Dean and the Metro Council, on January 19, 2010, financing was approved for the new Music City Center and, thereafter, bonds were issued and construction commenced on the Music City Center.

In August of 2009, the Metro Council established the Authority, comprised of and acting through a nine person Board of Directors to assume control of, undertake the acquisition, construction, development and operation of the Music City Center, which now has the responsibility for this project. The Authority, acting through its Board of Directors and its Finance and Audit Committee, will be responsible for oversight of this contract performance.

Certain financial and administrative support is provided to the Authority by the Metropolitan Government through an intergovernmental agreement. The Metropolitan Government utilizes Oracle Enterprise One (E1) software, Version 8.12, for its financial accounting and management system. Various modules of E1 are utilized including general ledger, accounts payable, cash receipts, payroll, and fixed assets. Additionally, the Authority and the Metropolitan Government utilize various other software products to support specific areas such as contract management and budgetary tracking.

E. Inquiries

Direct questions related to this RFP to Pat Edwards and submit such questions in writing. Include the RFP number, page, and paragraph number for each question.

If you mail the questions to the Division of Purchases, do not place the RFP number on the outside of the envelope containing questions, as it may be improperly identified as an envelope with a sealed proposal and may not be opened until after the official RFP due date.

Send all questions by fax or email to Pat Edwards at the Division of Purchases, by fax at (615) 862-6179 or via email at pat.edwards@nashville.gov. Offerors must clearly understand that the only official answer or position of the government will be the one stated in writing.

F. Method of Source Selection

The Authority has instructed the Division of Purchases to use the Competitive Sealed Proposals method of source selection, as authorized by Section 4.12.040

of the Metropolitan Procurement Code and the Authority's Procurement Policy, for this procurement.

Award(s), if made, will be made to the **Responsive** and **Responsible** Offeror(s) whose proposal is most advantageous to the Authority, taking into consideration price and the other factors set forth in this Request for Proposal (RFP). The Authority will not use any other factors or criteria in the evaluation of proposals received.

The Authority, acting through its Finance and Audit Committee, may, as it deems necessary, conduct discussions with **Responsive** and **Responsible** Offeror(s) determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and responsiveness to solicitation requirements.

G. Pre-Proposal Conference

A Pre-Proposal Conference will be held.

If stated above that it will be held, it will occur on June 3, 2010, at 10:00 AM in room 109, located in the current Nashville Convention Center .

H. Minimum (general) criteria to be determined “Responsive”

- Does the proposal submitted conform in all material respects to the solicitation?
- Specific examples include: Were minority-owned and/or woman-owned business enterprises (MWBE) considered and contacted in a timely manner for this contract proposal (Good Faith Effort)? Was sufficient documentation provided with the proposal to demonstrate that Good Faith Efforts were made?

I. Minimum (general) criteria to be determined “Responsible”

- Does the Offeror demonstrate an understanding of the Authority's needs and proposed approach to the project?
- Does the Offeror possess the ability, capacity, skill, and financial resources to provide the service?
- Can the respondent take upon itself the responsibilities set forth in the RFP (and resultant contract) and produce the required outcomes timely?
- Does the Offeror have the character, integrity, reputation, judgment, experience, and efficiency required by the contract?
- Has the Offeror performed satisfactorily in previous contracts of similar size and scope; or, if the prime contractor has not performed a contract of similar size and scope, has it (and/or its team members) otherwise demonstrated its capability to perform the contract the Authority seeks to establish through this RFP?

- Does the Offeror propose to perform the work at a fair and reasonable cost?

J. Projected Timetable

The following projected timetable should be used as a working guide for planning purposes. The Authority reserves the right to adjust this timetable as required during the course of the RFP process.

<u>Event</u>	<u>Date</u>
RFP Issued	May 25, 2010
Deadline for submittal of questions	June 3, 2010
Pre-Proposal Conference	June 3, 2010
Amendment Issued for Pre-Proposal Conference	June 7, 2010
Proposals Due	June 14, 2010
Procurement Nondiscrimination Program Review	ASAP
Evaluation of Criteria Begins	ASAP
Complete Evaluation of Proposals (Short List)	ASAP
Complete Contract Negotiations/Execute Contract	ASAP

2) Constraints on the Contractor

The Authority staff and Metropolitan Government will provide information necessary for the audit. Because the Authority is a component unit of the Metropolitan Government and the Authority's audited financial statements will be included in the Metropolitan Government's Comprehensive Annual Financial Report, the June 30, 2010 audit opinion and financial statements must be issued no later than October 15, 2010.

3) Functional Requirements

The only functional requirement of this procurement is to meet the stated Purpose outlined.

4) Contractor Personnel Requirements

The contractor must provide one point of contact for the Authority. The contractor personnel must be familiar with the unique requirements of governmental auditing and reporting, merging trends in governmental accounting, and recently issued governmental accounting standards. It is preferable that the contractor personnel have certifications specific to the accounting profession and governmental accounting such as Certified Public Accountant and/or Certified Governmental Finance Manager.

5) Contractor Responsibilities

The contractor's primary responsibilities are to plan, execute and document the audits as outlined by the Authority and its Finance and Audit Committee.

The contractor will discuss potential irregularities with the Authority's Board of Directors and Finance and Audit Committee as they arise in order to timely address such matters that could impact the audit progress. The contractor will be expected to be

available for weekly update meetings with the Authority's Finance and Audit Committee and the Metropolitan Government financial staff regarding the status of the audit project.

In the audit reports on internal control, the contractor shall communicate any significant deficiencies, material weaknesses or other control deficiencies identified during the course of the audit.

The contractor will immediately make a written report of any illegal acts or indications of illegal acts to:

- The Authority's Board of Directors, acting through its Finance and Audit Committee
- Metro Finance Director

The contractor will make all required communication with the Authority including:

- The contractor's responsibility under generally accepted auditing standards and *Governmental Auditing Standards*
- Significant accounting policies
- Consideration of internal control structure
- Disagreements with management and issued encountered in performing the audit
- Consultation with other accountants
- Major issues discussed with management prior to retention
- Management judgments and accounting estimates
- Comments on quality of accounting principles and disclosures
- Difficulties encountered in performing the audit
- Significant written communication between the contractor and management
- Review of other information

6) Convention Center Authority and Metropolitan Government Responsibilities

The Authority and Metropolitan Government will provide access to all personnel, contractors, and subcontractors necessary for the completion of the audit.

7) The Authority and Metropolitan Government's Right to Inspect

Both the Authority and Metropolitan Government shall have the right to inspect any facility or project site where the services performed under the resultant contract are performed.

8) Terms and Conditions of Contract

A contract resulting from this RFP shall be subject to the terms and conditions set forth in the attached Contract.

9) Procurement Nondiscrimination Program Requirements

A. The consideration and contact of minority-owned and/or woman-owned business enterprises (MWBE) with a significant presence in the Nashville MSA is required for a *Responsive offer*

The Metropolitan Government's Business Assistance Office (BAO) will provide a listing of known Metro registered and certified MWBE firms. You are encouraged to reach out and develop additional MWBE firms for inclusion in your offer but they must be registered online with the Metropolitan Government prior to the proposal time and date. Certification is required by the time of the proposal due date.

B. The provision of the following items as part of the proposal package is a minimum requirement for a responsive proposal

Covenant of Nondiscrimination

Your firm has committed to the Covenant of Nondiscrimination when registering with the Metropolitan Government to do business. To review this document, go to Nashville.gov and visit the Procurement or Business Assistance web pages (it is NOT necessary to resubmit this with each proposal).

Statement of Interested, Notified, Bid Amount, and Successful MWBEs Selected.

Each proposer must provide the enclosed form indicating that the proposer has delivered written notice to at least three (3) available MWBEs if use of MWBEs is reasonable and if BAO can provide at least three MWBEs for the applicable category. The interested, notified, successful, and unsuccessful bid prices are one of the several required responses on the form.

Letter of Intent to Perform as a Subcontractor/Joint Venture.

In the event that a proposer submits the use of subcontractors, suppliers, and/or joint ventures, a letter of intent signed by both the subcontractor/supplier/joint venturer must be submitted to Procurement by the end of the second business day following issuance of the intent to award letter.

Registration and Certification.

To be considered for the purpose of being Responsive, the subcontractor, supplier and/or joint venturer must be registered online with the Metropolitan Government by the proposal due date. Certification is required by the time of the proposal due date.

C. Assistance in Locating an Minority-Owned or Woman Owned Businesses

Proposers who desire assistance in locating potential MWBE subcontractors and suppliers are encouraged to contact The BAO by email at BAO@Nashville.gov or call The BAO at (615) 880-2814.

10) Assistance to Small Businesses as Subcontractors and Suppliers

A. Incentive for Small Business Participation

The Metropolitan Government provides an incentive to Proposers to maximize the usage of small businesses in the performance of the contract. In the evaluation of proposals, the Metropolitan Government rewards Proposers for

committing to use small businesses as subcontractors by considering the minimum percentage of total contract dollars of committed small business subcontractor participation. In addition, if the Proposer is a small business, the Metropolitan Government rewards the Proposer for the amount of work it commits to self perform.

B. Assistance in Locating Small Businesses

Proposers who desire assistance in locating potential small business subcontractors and suppliers are encouraged to contact The BAO by email at BAO@Nashville.gov or call The BAO at (615) 880-2814.

C. Definition of Small Business

A “small business” means a United States business which is independently owned and operated and which is not dominant in its field of operation or an affiliate or subsidiary of a business dominant in its field. In addition, in order to qualify as a small business for purposes of this RFP, a business must meet the standards set forth in Metropolitan Government’s Small Business Standards included as an Attachment to this RFP.

D. Documentation Requirements

Proposer must complete the *List of Proposed Small Businesses* Exhibit to this RFP and submit the Exhibit with the Proposal to make a commitment to use subcontractors that claim small business status. Changes to the list of proposed small businesses must be submitted in writing and approved in advance by the Metropolitan Government. Proposer must confirm that any small businesses to be included in its proposal meet the small business standards set forth by the Metropolitan Government. Proposer shall likewise notify its proposed small businesses that the Metropolitan Government requires 1) that the subcontractor be registered to do business with the Metropolitan Government, and 2) have been approved as a small business through the submission to the Metropolitan Government of documentation to confirm small business status including a copy of their two most recently submitted business tax returns as well as IRS form 941-Employer's Quarterly federal tax return. This information will be reviewed by the Metropolitan Government and used to confirm the small business status. Small business status must be approved by the Metropolitan Government **prior** to proposal submission. ***While the Metropolitan Government commits to having documents reviewed and status granted as quickly as possible after the receipt of the necessary documentation, to be safe, documents should be submitted no later than four days before the bid/proposal is due to allow time for status to be granted.***

E. Progress Payments to the Contractor

As a condition of progress payments to the contractor, the Metropolitan Government will require that Contractor submit evidence of participation of and Contractor’s payment to all small businesses participating in any resultant Contract. This evidence shall be submitted with each invoice and shall include copies of subcontracts, subcontractors’ applications for payment,

subcontractors' certified payrolls, and proof of payment to small business subcontractors; and purchase orders, invoices, and proof of payment to small business suppliers.

F. Remedies for Misrepresentation

If, during the course of the Contract, Contractor fails to maintain the level of small business participation committed to in the Contractor's Proposal, or if any material representation made in Contractor's proposal concerning the small business status of any Subcontractor or Contractor's involvement in the ownership, operation or management of any subcontractor claiming status as a small business is shown to be false, the Authority may, at its sole option and in addition to any other remedies available under the Contract, at law or in equity, terminate the Contract. Further, in the event that the Authority terminates the contract, the Contractor shall pay the Authority's full reprocurement costs, including, without limitation, any costs associated with reprocurement delays. The Authority will institute debarment proceedings against any Proposer that misrepresents in a proposal any material fact concerning the small business status of itself or any subcontractor or Proposer's involvement in the ownership, operation, or management of any subcontractor claiming status as a small business. In addition, the Authority may, at its sole discretion, assess a charge representing the cost of all audit and legal time and expense incurred by the Authority as a result of the Contractor's failure to maintain the level of small business participation committed to in the Contractor's proposal.

11) Instructions for Proposal

A. Compliance with the RFP

Proposals must be in strict compliance with this Request for Proposals. Failure to comply with all provisions of the RFP may result in disqualification.

B. Acknowledgment of Insurance Requirements

By signing its proposal, Offeror acknowledges that it has read and understands the insurance requirements for the proposal. Offeror also understands that the evidence of required insurance must be submitted within fifteen (15) working days following notification of its offer being accepted; otherwise, the Authority may rescind its acceptance of the Offeror's proposal. The insurance requirements are attached.

C. Delivery of Proposals

All proposals are to be delivered before **June 14, 2010 at 3:00 PM**, Nashville local time on to:

***Metropolitan Government of Nashville and Davidson County
Division of Purchases
Mr. Pat Edwards, CPPB, Asst. Purchasing Agent
730 2nd Avenue South, 1st Floor
Nashville, TN 37201***

The Authority WILL NOT accept any proposals received after 3:00 P.M. local time or delivered to a location other than what is listed above. Late or incorrectly delivered proposals will be returned to the Offeror at their expense or destroyed after 30 days.

Proposers must **submit one (1) original**, and **five (5) exact duplicate, numbered copies** of the proposal response and **one (1)** electronic copy of the complete proposal response including any attachments, on a WINDOWS PC compatible CD.

Proposals will be opened publicly in a manner to avoid public disclosure of contents; however, only names of the Proposers will be read aloud.

List the Proposal Number on the outside of the box or envelope and note, "Request for Proposal enclosed".

D. Evaluation of Proposals (Procedure)

Metro Purchasing and the BAO. Metro Purchasing will first examine proposals to eliminate those, which are clearly non-responsive to the stated requirements. Therefore, Offerors should exercise particular care in reviewing the Proposal Format required for this RFP. Proposers who are determined to be non-responsive and/or non-responsible will be notified of this determination. The remaining proposers will also be notified. The BAO will work with proposers to ensure effort was made to satisfy the Procurement Nondiscrimination Program requirements. However, after limited engagement, if a firm fails to demonstrate effort to achieve this requirement, the BAO will request of the Purchasing Agent that the proposal be determined non-responsive.

The Metro Purchasing Agent reserves the right to withdraw this RFP at any time and for any reason and to issue such clarifications, modifications, and/or amendments as it may deem appropriate. Receipt of a proposal by the Metro Procurement Division or a submission of a proposal to the Metro Procurement Division offers no rights upon the Offeror nor obligates the Metropolitan Government or the Authority in any manner. The Purchasing Agent reserves the right to waive minor irregularities in proposals, provided that such action is in the best interest of the Authority. Any such waiver shall not modify any remaining RFP requirements or excuse the Offeror from full compliance with the RFP specifications and other contract requirements if the Offeror is awarded the Contract.

Evaluation Committee. Thereafter, the evaluation committee will score all responsive and responsible proposals based upon the evaluation criteria detailed herein. Upon completion of the initial scoring, the committee may recommend a single finalist to the Authority or enter into a short-listing process with those offerors whose proposals are determined to be in the competitive range.

The detailed evaluation process that follows the initial scoring may result in, but not limited to, a series of requests of the offerors for clarifications, additional discussions, presentations, amended proposals, contract negotiations, best and final offers, and/or detailed reference checks. This process may involve multiple short-listing rounds for the purpose of achieving contracts that are in the best interests of the Authority as determined by the evaluation committee.

The method used for scoring objective criteria (cost, small business participation, time of completion, etc.) shall be based on comparison of all responsive and responsible proposals. Other criteria scores may be adjusted upward or downward during discussions. This movement will result from further detailed review of short listed proposals and consideration of additional information received through discussions and written submittals. However, the points will not exceed the total points available for that evaluation criterion. If, during discussions, the evaluation committee discovers modification of requirements is necessary, the request will be amended. Subsequent scorings may be based on comparison of only the short listed proposers.

At any time during the evaluation process, it is determined that a proposal is non-responsive or non-responsible, that proposal will be removed from consideration for award and all proposers notified of this decision.

The evaluation committee, on behalf of the Authority, reserves the right to contact any and all references to obtain, without limitation, information regarding the Offeror's performance on previous projects. A uniform sample of references will be checked for each short-listed offeror.

Authority. After the Evaluation Committee has submitted its scoring, findings of its evaluation process and recommendation(s), if appropriate, to the Authority, the Authority, in consultation with the Finance and Audit Committee, will select a contractor to perform the necessary audit work and express an opinion on the Authority's financial statements for the year ending June 30, 2010.

Contact Information. In order to complete the evaluation process faster, list the name, address, phone number, fax number, and email address of the person capable of answering any questions that may arise during the evaluation process.

(Please Print or Type)

Company Name: _____

Attention: _____

Address: _____

City/ST/Zip: _____

Phone: _____

Fax: _____

Email: _____

E. Ambiguity, Conflict, or Other Errors in the RFP

If a Proposer discovers any ambiguity, conflict, discrepancy, omission, or other error in the Request for Proposal, it shall immediately notify the Metro Procurement Division such error in writing and request modification or clarification of the document. The Department of Purchasing will make modifications by issuing a written revision and will give written notice to all parties who have received this RFP from the Metro Procurement Division.

The Proposer is responsible for clarifying any ambiguity, conflict, discrepancy, omission, or other error in the Request for Proposals prior to submitting the proposal or it shall be waived.

F. Proposals and Presentation Costs

Neither the Authority nor the Metropolitan Government will be liable for any costs incurred by any Offeror in the preparation of its proposal in response to this RFP, nor for the presentation of its proposal and/or participation in any discussions or negotiations.

G. Rejection of Proposals

The Purchasing Agent reserves the right to accept or reject in whole or in part, any or all proposals submitted. The Purchasing Agent shall reject the proposal of any Offeror that is determined to be non-responsive. The unreasonable failure of an Offeror to promptly supply information in connection with respect to responsibility may be grounds for a determination of non-responsibility.

H. Acceptance of Proposals

The Purchasing Agent shall accept all proposals that are submitted properly. However, the Purchasing Agent, or designee, reserves the right to request clarifications or corrections to proposals.

I. Requests for Clarification of Proposals

Requests by the Evaluation Committee for clarification of proposals shall be distributed by the Procurement Staff in writing (or email).

J. Validity of Proposals

All proposals shall be valid for a period of ninety (90) days from the opening date of the Request for Proposal.

12) Evaluation Criteria

A. Proposal Evaluation Committee

A committee appointed by the Chair of the Authority, in consultation with the Finance and Audit Committee, and the Metropolitan Government Purchasing Agent will evaluate proposals. Other agencies and consultants of the Metropolitan Government also may examine documents. The committee will make recommendation(s) to the Authority to consider.

B. Response Format

The information listed below shall be submitted with each proposal and should be submitted in the order shown. Each section should be clearly labeled, with pages numbered and separated by tabs. Failure by an offeror to include all listed items may result in the rejection of its proposal.

C. Evaluation Criteria (Factors)

The factors to be considered in the evaluation of proposals are listed below. While the Authority believes all these items to be of importance, their relative weight is indicated by the points each evaluation criteria could receive. Within each evaluation criteria, subsets of the criterion may be defined to clarify the point distribution for that evaluation criteria. Award(s) will be made to the responsible offeror whose proposal is determined to be the most advantageous to the Authority, its Board of Directors and the Metropolitan Government. No other factors or criteria will be used in the evaluation.

• Tab I, Business Plan

Total points available for this criterion are 10 points.

- Open with a cover letter indicating the underlying philosophy of your firm in providing the requested service/product. Express your understanding of the contract scope and the desired deliverables.
- Provide a detailed plan of your firm's proposed approach including major tasks and sub-tasks and the number of hours proposed for each task.
- Address the functional requirements of this solicitation.
- Identify potential risks associated with the execution of this contract and how your firm proposes mitigating those risks.
- Provide a detailed time line for completion of the audit.
- Provide the planned number of total hours that will be spent on the audit
- Attached at the end of this solicitation is the proposed contract. Those respondents submitting a proposal without exceptions will receive the

maximum consideration for this portion of the business plan evaluation. You may, in your response, indicate exceptions to the general terms and conditions of the RFP but scores will reflect the Authority's assessment of the impact for these considerations and may reject the proposal as non-responsive if, in the evaluation of the Authority, the requested changes are unacceptable.

- **Tab II, Experience and Qualifications**

Total points available for this criterion are 55 points.

- Include the description of the proposed team, and the role to be played by each member of the proposed team
- What are the proposed team's organizational structure, interrelationships, and interactions?
- Include the résumés of all managers, senior level supervisors, and key personnel (indicate if they are a subcontractor) who will be involved in providing the required services.
- What license(s) and certification(s) do these individuals have that would convey their ability to perform this contract?
- Address your firm's financial health to completely perform the contract. Identify any areas of concern or limitations that the Authority should consider.

- **Tab III, Compensation and Cost Data**

Total points available for this criterion are 10 points.

- A fixed fee, including any travel and other expenses, should be submitted for the scope of services described above.
-
- From time to time the Authority may wish to enter into separate scopes of services for special internal control reviews, performance audit work, or other special projects. Provide an hourly compensation scale by position for those who may perform additional work as requested by the Authority. Travel and other expenses will not be reimbursed under separate scopes of services unless pre-approved by the Chair of the Authority. Therefore, assume minimal, if any, travel and cover incidental costs in hourly rates proposed.

- **Tab IV, Capacity and Ability to Meet Scheduling Requirements**

Total points available for this criterion are 5 points.

- What is your understanding of the delivery requirements for this contract?
- Describe in detail how your firm is structured to ensure timely delivery of these services/products.
- What delivery concerns do you have in performing this contract?
- How does your firm propose mitigating these concerns?

- **Tab V, Past performance and References**

Total points available for this criterion are 10 points.

- Provide a listing of five (5) previous customers that purchased your services/product that were of similar size and scope. The services provided to these clients should have characteristics as similar as possible to those requested in this RFP.
- Information provided for each client shall include the following:
 - a) Client name, address, email, and current telephone number
 - b) Description of services provided
 - c) Time period of the project or contract
 - d) Budgeted amount and final billing amount (explain any cost variance)

Failure to provide complete and accurate client information, as specified here, may result in the disqualification of your proposal and will be reflected in the scoring.

- **Tab VI, Small Business Participation**

Total points available for this criterion are 10 points.

- The *List of Proposed Small Businesses* must be completed and signed by a company officer empowered to bind the Proposer to the provisions in this RFP and any contract awarded pursuant to the PRP. The Proposer must submit a *List of Proposed Small Businesses* OR a statement that no Small Businesses are proposed.
- The maximum points available for this criterion are listed above. However, the minimum requirement level is no more than 1 point granted for each 1% of total contract value for small business utilized.

Attachments A
Procurement Nondiscrimination Program Forms
Form Submission Procedures

Demonstrating compliance with the Procurement Nondiscrimination Program requires the submission of the following forms:

1. **Statement of Good Faith Efforts**- This completed form is required at the time of bid/proposal submission. Each of the first three listed statements must be initialed by an authorized company official indicating that the prime contractor has made all of the good faith efforts required by the Procurement Nondiscrimination Program. Prime contractors should initial any of the additional good faith efforts listed subsequently on the form as they are applicable.

This form must be signed by a principle of your company and dated.

2. **Statements of Interested, Notified, and Successful Subcontractors** – This completed form is required at the time of bid/proposal submission to provide the Metropolitan Government with information regarding your outreach efforts. The first section of this form should list those firms that have contacted you as well as those with whom you have made contact regarding potential participation on this project. The second section of this form should list the MWBE subcontractors with whom you have decided to work with on this project if awarded.

Submitted forms should be fully completed and specify the MWBE company names, individual(s) contacted, date contacted, M/WBE Certificate Type, percentage of total contract value to be awarded, a description of the work to be performed, and the UNSPS Code of the work. A copy of the codes can be provided upon request to the BAO.

NOTE: Reasons for declining offers made by potential MWBE partners must be noted on this form.

This form must be signed by a principle of your company and dated.

3. **Letter of Intent to Perform as a Subcontractor/Joint Venture**--This form is to be completed and submitted by the apparent successful participant **by the end of the second business day following notice of intent to award from the Metropolitan Government.** It should specify the names of the MWBEs with whom the prime contractor intends to subcontract or joint venture. Additionally it should detail the work to be performed, the total value of the MWBE participation on the contract in dollars and percentage and must be signed by both the MWBE subcontractor/joint venture partner AND the prime contractor and dated.

NOTE: A separate form must be completed for each individual MWBE subcontractor/joint venture partner.

Any additional questions regarding required detail and documentation to demonstrate Procurement Nondiscrimination Program compliance should be directed to the Business Assistance Office at 615-880-2814.

Attachment A (continued)
Good Faith Efforts

Subject: Proposal for _____
(Name of Project)

Pursuant to the requirements for Participants under the Procurement Non-Discrimination Program, and in consideration of the privilege to submit Proposals on contracts funded, in whole or in part, by the Metropolitan Government, I/We, attest that I/We have made the following efforts to ensure that potential MWBE subcontractors were notified of the opportunity to participate as a subcontractor or joint venturer on this project.

- _____ I/We have made efforts to include certified MWBE's in the procurement process and to ensure that businesses are not discriminated against on the basis of race, ethnicity or gender;
- _____ I/We have delivered appropriate written notice to three available certified MWBEs for each potential subcontracting or supply category in the Contract AND all potential subcontractors or vendors which requested information on the Contract.
- _____ I/We have provided all potential subcontractors or vendors with adequate information as to the plans and specifications of this project, information necessary to provide a bid or quote, relevant terms and conditions of any resultant contract and the last date and time for receipt of price quotations.

Additionally, _____ has made the following Good Faith Efforts to include MWBEs as subcontractors or joint venturers on this project.

- _____ I/We have attended a special meeting called to inform business and individuals of subcontracting or supply opportunities.
- _____ I/We have, in accordance with normal industry practices, divided the contract into economically feasible segments that can be performed by a MWBE.
- _____ I/We have provided a written explanation for rejection of any potential subcontractor or vendor to the BAO, included the name of the firm proposed to be awarded the subcontract or supply agreement, where price competitiveness is not the reason for rejection.
- _____ I/We have actively solicited, through sending letters or initiating personal contact, MWBEs in all feasible and appropriate categories providing subcontracting opportunities for the contract under consideration.
- _____ I/We have utilized the services of available community organizations and associations, contractors' groups, and trade associations known to publicize contracting and procurement opportunities, for the purpose of obtaining assistance

in the contacting and recruitment of MWBEs for the Metropolitan Government contract under consideration.

_____ I/We have advertised in publications of general circulation in the Nashville Metropolitan Statistical Area ("MSA"), trade publications and other media owned by, or otherwise focused or marketed to MWBEs, and the advertisement identifies and describes the specific subcontracting or other opportunity in reasonable detail.

_____ I/We have conducted discussions with interested MWBEs in good faith, and provided the same willingness to assist MWBEs as has been extended to any other similarly situated subcontractor.

_____ I/We have taken steps to ensure that all labor supervisors, superintendents, and other on-site supervisory personnel are aware of and carry out the obligation to maintain a non-discriminatory work environment, free of harassment, intimidation and coercion at all construction sites, offices and other facilities to which employees are assigned to work.

Printed Name of Company Official

Date

Signature

Title of Company Official

Fully Company Name

Mailing Address

Area Code/Phone Number

City, State, Zip

Please contact the Business Assistance Office (615) 880-2814 with any questions about information which may be required.



STATEMENTS OF INTERESTED, NOTIFIED AND SUCCESSFUL SUBCONTRACTORS

Please complete this form to provide Metro with information regarding your outreach efforts. Please include information appropriately regarding those certified MWBEs that you contacted, who contacted you and those that you have decided to work with on this project. Please add additional copies of this sheet as necessary so that you may list ALL MWBEs with whom you've had contact. Please contact the Business Assistance Office with any questions at 615-880-2814.

Project Name _____ **RFP/ITB Number** _____

As part of our regular and customary good faith efforts to include MWBE subcontractors, suppliers and joint venturers, _____ (Company Name) has contacted or was contacted by the following certified MWBEs related to our bid/proposal.

<i>Business Name & Contact</i>	<i>Phone No</i>	<i>MBE/WBE Certificate Type</i>	<i>Date of Contact</i>	<i>Method of Contact</i>	<i>Who Initiated Contact?</i>	<i>If Bid Submitted, Amount of Bid*</i>	<i>Offer Accepted or Declined</i>	<i>Reason(s) for Declining</i>

*STATEMENT OF BID/PRICE QUOTATION

Having submitted a Proposal/bid for the above referenced project, if awarded the contract, _____ (Company Name) advises that contingent upon award of the contract to our company, our subcontractor, suppliers, or joint venture partnership participation is projected to be as follows:

<i>Business Name & Contact</i>	<i>Phone No</i>	<i>MBE/WBE Certificate Type</i>	<i>Dollar value</i>	<i>Estimated % of total contract value</i>	<i>UNSPS Code # for work to be performed</i>	<i>Work to be performed</i>

Name _____ Title _____ Date _____

Attachment A (continued)
Letter Of Intent To Perform As A
Subcontractor/Joint Venture

This form is to be completed and submitted by the apparent successful participant by the end of the second business day following notice of intent to award.

Proposal for _____
(Name of Project)

Prime Contractor Name

The undersigned has agreed to perform work in connection with the above project as:

☐ a subcontractor ☐ a joint venture

Detailed description of work items to be performed:

At the following price(s): \$ _____

The total value of MWBE participation under this Subcontractor/Joint Venture Agreement is \$ _____; which is estimated to be _____% of the total Proposal.

Signature of Subcontractor/Joint Venturer

Printed Name: _____

Title: _____

Date: _____

The undersigned will enter into a written agreement with the above subcontractor for the work described upon award and execution of a contract with either the Authority or the Metropolitan Government Government.

Signature of Prime Contractor

Printed Name: _____

Title: _____

Date: _____

Attachment B
Affidavits

State of _____ **County of** _____

As used herein, "Offeror" will include bidders and proposers.

Compliance with Laws: After first being duly sworn according to law, the undersigned (Affiant) states that he/she is the _____ (Title) of _____ (Offeror), and that Offeror is presently in compliance with, and will continue to maintain compliance with, all applicable laws. Thus, Affiant states that Offeror has all applicable licenses, including business licenses, copies of which are attached hereto. Finally, Affiant states that Offeror is current on its payment of all applicable gross receipt taxes and personal property taxes.

Contingent Fees: In accordance with the Authority's Procurement Policy and the Metropolitan Government's Procurement Code, it is a breach of ethical standards for a person to be retained, or to retain a person, to solicit or secure a the Authority contract upon an agreement or understanding for a contingent commission, percentage, or brokerage fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business. After first being duly sworn according to law, the undersigned (Affiant) states that the Offeror has not retained anyone in violation of the foregoing.

Nondiscrimination: Contractor, after being first duly sworn, affirms that by its employment policy, standards and practices it does not subscribe to any personnel policy which permits or allows for the promotion, demotion, employment, dismissal or laying off of any individual due to race, religion, color, national origin, age or sex and that it is not in violation of and will not violate any applicable laws concerning the employment of individuals with handicaps and/or disabilities. It is the policy of the Metropolitan Government not to discriminate on the basis of age, race, sex, color, religion, national origin or handicap and/or disability in its hiring and employment practices, or in admission to, access to, or operation of its programs, services and activities. With regard to all aspects of this contract, contractor certifies and warrants it will comply with this policy.

And Further Affiant Sayeth Not:

By: _____

Title: _____

Address: _____

Sworn to and subscribed before me on this ____ day of _____, 200____.

Notary Public
My commission expires: _____

Attachments C

Guidelines for Assistance to Small Businesses

I. Assistance to Small Businesses as Prime or Subcontractor for Construction and/or Other Services

The Metropolitan Government of Nashville and Davidson County (Owner) has established guidelines, which provide incentives to maximize the participation of Small Businesses as Prime or Subcontractor for construction and/or other services.

II. Small Businesses as Prime or Subcontractor for Construction and/or Other Services

This section provides the definition of a Small Business as contained in the Metropolitan Procurement Code, and the additional criteria for Small Business status as set forth in the Regulations to the Metropolitan Procurement Code.

A Small Business satisfies all of the following criteria:

- (a) A United States business which is independently owned and operated, and which is not dominant in its field of operation or an affiliate or subsidiary of a business dominant in its field of operation;
- (b) Either has no more than the following number of employees or has no more than the following annual sales volume for the applicable industry; and

INDUSTRY	ANNUAL SALES VOLUME	MAXIMUM NUMBER OF EMPLOYEES*
Agriculture, Forestry, Fishing	\$500,000	9
Architectural/Design/Engineering	\$2,000,000	30
Construction	\$2,000,000	30
Educational	\$1,000,000	9
Finance, Insurance, Real Estate	\$1,000,000	9
Information Systems/Technology	\$2,000,000	30
Manufacturing	\$2,000,000	99
Marketing/Communications/Public Relations	\$2,000,000	30
Medical/Healthcare	\$2,000,000	30
Mining	\$1,000,000	49
Retail Trade	\$750,000	9
Service Industry	\$500,000	9
Transportation, Commerce, and Utilities	\$1,000,000	9
Wholesale Trade	\$1,000,000	19

- (c) Meets the following additional criteria:
1. Has demonstrated capability to perform independently a substantial portion of the contract they seek, or a substantial portion of the subcontract for which they are proposed by a bidder or offeror, as specified by the Purchasing Agent;
 2. Not share or jointly use office space, production, marketing and sales, business support systems, personnel, or equipment with any business not classified by the Metropolitan Government as a small business (i.e., a large business);
 3. Has existed as a legal business entity for a minimum of one year (twelve months of continuous business enterprise), performing independently and satisfactorily and achieving a minimum of \$35,000.00 sales income (collected sales dollars not simply booked sales);
 4. Not be owned, controlled, or directed by individuals or groups of individuals who own, control, or direct a large business involved in the same category of work as the business for which small business status is sought;
 5. If a supplier, be an authorized regular distributor with normal wholesale agreements for the Product or products to be supplied; and
 6. If a construction contractor, be licensed as required by the state to perform the work for which it has submitted a bid or has been proposed by a prime as a subcontractor.

*NOTE: Employee means a person (or persons) employed on a full-time (or full-time equivalent), a permanent basis. Full-time equivalent includes employees who work 30 hours per week or more. Full-time equivalent also includes the aggregate of employees who work less than 30 hours a week, where the work hours of such employees add up to at least a 40 hour work week.

The totality of the circumstances, including factors relevant for tax purposes, will determine whether persons are employees of a concern. Temporary employees, independent contractors or leased employees are not employees for these purposes. The owner(s) are excluded from this classification.

SMALL BUSINESS STATUS

If Firms desire to claim the status as a small business, they must

- 1) Be registered to do business with the Metropolitan Government at <https://smartrac.nashville.gov/newvendorlogin.aspx> , and
- 2) Have been approved as a small business through the submission to the Metropolitan Government of documentation to confirm small business status including a copy of their two most recently submitted business tax returns as well as IRS form 941-Employer's Quarterly federal tax return.

This information will be reviewed the Metropolitan Government's BAO and used to confirm the small business status. Small business status must be approved by the Metropolitan Government **prior** to submission. ***While the Metropolitan Government commits to having documents reviewed and status granted as quickly as possible after the receipt of the necessary documentation, to be safe, documents should be submitted no later than four days before the proposal opening date to allow time for status to be granted.***

Attachments D
List of Proposed Small Businesses for RFP _____

Proposer Name: _____

Notice: Small businesses listed must be registered with Metro and small business status must be approved by Metro **prior** to proposal submission. Registration can be completed online at: <https://smartrac.nashville.gov/newvendorlogin.aspx>

	Small Business Name	Small Business Address, Phone Number and email address	Industry of Work to be Performed by this Small Business (see <i>Instructions below this table</i>)	Phase in project when Small Business is anticipated to perform work	Minimum Amount & <i>Percentage</i> of total contract dollars to be spent with this Small Business
1.					
2.					
3.					
4.					
5.					

INSTRUCTIONS:

- If the proposer is a small business, the proposer should also be included in this list.
- If more than six (6) Small Businesses are to be listed, please attach an additional sheet.
- For the "Industry of Work to be Performed by this Small Business" column, you must enter an Industry listed here: Agriculture, Architectural/Design/Engineering; Educational; Information Systems/Technology; Marketing/Communications/Public Relations; Medical/Healthcare; Forestry, Fishing; Mining; Construction; Manufacturing; Wholesale Trade; Retail Trade; Finance, Insurance, Real Estate; Transportation, Commerce, and Utilities; Service Industry

Submission of a proposal shall constitute Proposer's representation that neither Proposer nor an officer, agent or employee of Proposer, or the spouse, parent or child of an officer, agent or employee of Proposer, is involved in the ownership, operation or management of any subcontractor claiming status as a small business for purposes of this Proposal and Contract.

 Name and Title of Person submitting this form

